

<b>Office Action Summary</b>	<b>Application No.</b> 10/803,718	<b>Applicant(s)</b> DOMBKOWSKI ET AL.	
	<b>Examiner</b> Fikremariam Yalew	<b>Art Unit</b> 2136	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 May 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                                  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____   |

### **DETAILED ACTION**

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 03/31/2008 has been entered.
2. Claims 1,14,22 are amended. Claims 1-25 are pending.
3. The examiner withdraws 35 USC 101 rejection based on the applicant specification amendment on 10/10/2007.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-6,8-18,20-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Karaoguz(US Pub No 2004/0059914 A1) in view of Mekenzie et al(hereinafter referred as Mekenzie) US Pub No 2002/0141594 and further in view of Maruta et al (hereinafter referred as Maruta) US Patent No 4,870,526 .
7. As per claims 1,14,22: Karaoguz discloses an apparatus/method/article, comprising: an authentication device that authenticates a computing device (See 0041 0049), in communication

Art Unit: 2136

with the authentication device, through employment of a determination that a current location of the authentication device matches an initial location of the authentication device (See Fig 3 steps 305,310,335 and Fig 4 steps 440 and 0019).

Karaoguz does not explicitly teach wherein one or more private keys employable for encryption and/or decryption of information are erased upon an attempt to move the authentication device. However Mackenzie teaches wherein one or more private keys employable for encryption and/or decryption of information are erased upon an attempt to move the authentication device (See col 4 lines 44-47 and col 12 lines 6-16)

Therefore it would have been obvious to one having ordinary skill in the art at that time the invention was made to modify the teaching method of Mackenzie within Karouguz method inorder to enhance security of the system.

The combination of Mackenzie and Karouguz do not explicitly teach information are erased via a cutoff power.

However Maruta teaches information are erased via a cutoff power (See Fig 10 steps S71(automatic power off) and col 4 lines 28-36)

Therefore it would have been obvious to one having ordinary skill in the art at that time the invention was made to modify the teaching method of Maruta within Mackenzie and Karouguz method inorder to enhance security of the system.

8. As per claim 2: the combinations of Karaoguz-Mackenzie-Maruta teach the apparatus wherein the computing device comprises a first computing device wherein the authentication device makes the determination that the current location of the authentication device matches the initial location of the authentication device in response to a request from a second computing

Art Unit: 2136

device for authentication of the first computing device for a data transfer from the second computing device to the first computing device (See Karaoguz 0008,0019-0020).

9. As per claims 3,15: the combinations of Karaoguz-Mackenzie-Maruta teach the apparatus/method wherein the request from the second computing device comprises an authentication challenge string (See Karaoguz 0038,0041); wherein the authentication device stores one or more private keys, wherein if the current location of the authentication device matches the initial location of the authentication device, then the authentication device employs one or more of the one or more private keys to decrypt the authentication challenge string into an authentication challenge response(See Karaoguz 0038).

10. As per claims 4,16: the combinations of Karaoguz-Mackenzie-Maruta teach the apparatus/method wherein the authentication device sends the authentication challenge response to the second computing device, wherein the second computing device analyzes the authentication challenge response to determine whether the first computing device is authenticated for the data transfer (See Karaoguz 0037-0038).

11. As per claims 5,17: the combinations of Karaoguz-Mackenzie-Maruta teach the apparatus/method wherein the second computing device comprises an authentication challenge key to compare with the authentication challenge response received from the authentication device (See Karaoguz 0038,0041); wherein if the authentication challenge response matches the authentication challenge key, then the authentication challenge response represents that the first computing device is authenticated and the data transfer can be sent from the second computing device to the first computing device(See Karaoguz Fig 4 step 440 and 0038,0041).

Art Unit: 2136

12. As per claims 6,18: the combinations of Karaoguz-Mackenzie-Maruta teach the apparatus wherein upon determination that the current location of the authentication device does not match the initial location of the authentication device, the authentication device prevents authentication of the first computing device and disables the one or more private keys (See Karaoguz Fig 4 step 450 and 0042).

13. As per claim 8,20: the combinations of Karaoguz-Mackenzie-Maruta teach the apparatus/method wherein the authentication device comprises a base portion, a cover portion, and one or more electronic components that serve to authenticate the computing device; wherein the base portion is fixed to a surface near the computing device, wherein the cover portion is fixed to the base portion to provide a secure shell for the one or more electronic components (See Karaoguz Figs 2,3 and 0017,0050).

14. As per claim 9,21: the combinations of Karaoguz-Mackenzie-Maruta teach the apparatus/method wherein a first one of the base and cover portions receives electricity through a power port, wherein a second one of the base and cover portions receives electricity through an electrical contact with the first one of the base and cover portions(See Fig 5 step 515,525); wherein upon separation of the second one of the base and cover portions from the first one of the base and cover portions, the second one of the base and cover portions loses power and prevents authentication of the computing device(See Karaoguz Fig 5 step 515,525).

15. As per claim 10: the combinations of Karaoguz-Mackenzie-Maruta teach wherein the second one of the base and cover portions electrically supports one or more of the one or more electronic components that store one or more private keys, wherein the authentication device employs one or more of the one or more private keys to authenticate the computing device (See

Art Unit: 2136

Karaoguz Fig 5 step 515,525); wherein a loss of power in the second one of the base and cover portions erases the one or more private keys from the one or more of the one or more electronic components(See Karaoguz Fig 5 step 515,525).

16. As per claim 11: the combinations of Karaoguz-Mackenzie-Maruta teach the apparatus wherein the authentication device comprises a location sensor (See 0039); wherein upon initialization of the authentication device, the location sensor sets the initial location of the authentication device (See Karaoguz 0039,0045); wherein the location sensor determines the current location of the authentication device, wherein the authentication device compares the current location with the initial location to authenticate the computing device (See Karaoguz 0039,0045).

17. As per claim 12: the combinations of Karaoguz-Mackenzie-Maruta teach the apparatus wherein the location sensor comprises a global positioning system component, wherein the global positioning system component measures the initial location and the current location of the authentication device as a three-dimensional location of latitude, longitude, and altitude (See Karaoguz 0045-0046).

18. As per claim 13: the combinations of Karaoguz-Mackenzie-Maruta teach the apparatus wherein the authentication device allows authentication of the computing device upon the determination that the authentication device matches the initial location of the authentication device within a specified error message (See Karaoguz 0039,0045)

19. As per claim 23: the combination of Karaoguz-Mackenzie-Maruta teach the apparatus wherein the one or more private keys are erased upon an attempt of open the authentication device (See Mackenzie col 4 lines 44-47 and col 12 lines 6-16)

Art Unit: 2136

20. As per claim 24: the combination of Karaoguz-Mackenzie-Maruta teach the apparatus wherein the one or more private keys are erased via a cutoff of power upon the attempt to move the authentication device (See Maruta See Fig 10 steps S71 (automatic power off) and col 4 lines 28-36).

21. As per claim 25: the combination of Karaoguz-Mackenzie-Maruta teach wherein the one or more private keys are erased via a cutoff of power upon an attempt to open the authentication device (See Maruta See Fig 10 steps S71 (automatic power off) and col 4 lines 28-36 )

22. Claims 7,19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Karaoguz(US Pub No 2004/0059914 A1) in view of Mckenzie et al(hereinafter referred as Mckenzie) US Pub No 2002/0141594 and further inview of Maruta et al (hereinafter referred as Maruta) US Patent No 4,870,526 and furthermore inview of Wheeler et al(US Pub No 2007/0088950 A1.

23. As per claims 7,19: the combination of Karaoguz-Mckenzie-Maruta teaches claims 6 and 15 as recited above. Karaoguz-Mckenzie-Maruta do not explicitly teach the apparatus wherein the authentication device stores the one or more private keys in volatile memory, wherein upon determination that the current location of the authentication device does not match the initial location of the authentication device, the authentication device cuts off power to the volatile memory to erase the one or more private keys.

However Wheeler the apparatus wherein the authentication device stores the one or more private keys in volatile memory, wherein upon determination that the current location of the authentication device does not match the initial location of the authentication device, the authentication device cuts off power to the volatile memory to erase the one or more private keys(See 0146).

Therefore it would have been obvious to one ordinary skill in art at that time the invention was made to modify the teaching method of Wheeler within Karaoguz-Mekenzie-Maruta method in order to enhance security of the system.

***Conclusion***

24. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO 892

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fikremariam Yalew whose telephone number is 5712723852. The examiner can normally be reached on 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Moazzami Nasser can be reached on 571-272-4195. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Application/Control Number: 10/803,718

Page 9

Art Unit: 2136

08/11/2008

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Supervisory Patent Examiner, Art Unit 2136